

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1-31-74-Div. I (Vol. III)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'C' Non Ministerial, Non Gazetted posts in the Goa Medical College, Panaji, under Government of Goa, Daman and Diu.

1. Short title. — These rules may be called Government of Goa, Daman and Diu, Goa Medical College Group 'C', Non Ministerial, Non Gazetted posts Recruitment Rules, 1978.

2. Application. — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. Number, classification and scale of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age limit and other qualifications. — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time;
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment unless the Government, after having been satisfied that there are special grounds for doing so exempts any such candidate from the operation of this rule.
- (c) *Saving:* Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

6. These rules are issued in supersession of the existing Recruitment Rules for the posts.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 12th December, 1978.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Assistant Laundry Supervisor.	One	Group 'C' Non Ministerial Non Gazetted.	Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.	N. A.	30 years and below (Relaxable for Govt. servants).	<i>Essential:</i> S. S. C. E. or equivalent. <i>Desirable:</i> About 2 years experience in a Mechanical Laundry.	N. A.	Two years	Direct recruitment.	N. A.	N. A.	N. A.
Mechanic.	One	— do —	Rs. 330-10-380-EB-12-500-EB-15-560.	N. A.	— do —	<i>Essential:</i> i) I. T. I. Certificate in relevant trade. ii) At least one year experience in the line.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Laundry Supervisor.	One	— do —	Rs. 425-15-560-EB-20-640.	Selection	— do —	<i>Essential:</i> i) Degree from a recognised University or equivalent. ii) At least 2 years experience in a Mechanical Laundry.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	<i>Promotion:</i> Assistant Laundry Supervisor with 5 years service in the grade.	Group 'C' D.P.C.	N. A.
Dressmaker.	One	— do —	Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.	N. A.	— do —	<i>Essential:</i> 1) I. T. I. Certificate in Tailoring OR 10 years experience in the line.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Lady Health Visitor.	Two	— do —	Rs. 330-10-380-EB-12-500-EB-15-560.	N. A.	— do —	<i>Essential:</i> 1. S.S.C.E. or equivalent 2. Diploma in Lady Health Visiting course from a recognised Institution.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Draftsman.	One	— do —	Rs. 330-10-380-EB-12-500-EB-15-560.	N. A.	— do —	<i>Essential:</i> 1. S. S. C. E. 2. Certificate course of Draftsman of two years duration from a recognised institute or equivalent.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Steward.	One	— do —	Rs. 330-10-380-EB-12-500-EB-15-560.	Selection	— do —	<i>Essential:</i> 1. Intermediate or equivalent. 2. Experience of working in a hospital or medical institution.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	<i>Promotion:</i> House keepers with 3 years standing in the line.	Group 'C' D.P.C.	N. A.

Blacksmith.	One	Group 'C' Non Ministerial Non Gazetted.	Rs. 260-6- 326-EB- -8-350.	N. A.	30 years and below (Relaxable for Govt. Servants).	I. T. I. Certificate in the relevant trade.	N. A.	Two years	Direct recruitment.	N. A.	N. A.	N. A.
Electrician (AUTO)	One	— do —	Rs. 260-6- 326-EB- -8-350.	N. A.	— do —	I. T. I. Certificate in the relevant trade.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Electrician.	One	— do —	Rs. 380-12- 500-EB- -15-560.	Selection	— do —	Certificate course in Electrical Engineering OR Certificate of Elec- trician issued by Li- censing Board.	N. A.	— do —	Promotion failing which by direct recruitment.	Mechanic (Electrical) of the Department with 5 years standing in the grade.	Group 'C' D.P.C.	N. A.
Craft Ins- tructor.	One	— do —	Rs. 380-12- 500-EB- -15-560.	N. A.	30 years and below	<i>Essential:</i> S.S.C.E. with diploma in craft. <i>Desirable:</i> I. T. I. Trade Certificate. Two years practical experience.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Printing Ins- tructor.	One	— do —	Rs. 380-12- 500-EB- -15-560.	N. A.	— do —	<i>Essential:</i> Diploma in printing. One year experience in the field.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Weaving Instructor.	One	— do —	Rs. 380-12- 500-EB- -15-560.	N. A.	— do —	<i>Essential:</i> Diploma in Weaving. <i>Desirable:</i> 2 years experience in the line.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Bench Fitter.	One	— do —	Rs. 260-6- 326-EB- -8-350.	N. A.	30 years and below (Relaxable for Govt. servants).	I. T. I. Certificate in the relevant trade.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Carpenter.	One	— do —	Rs. 380-12- 500-EB- -15-560.	N. A.	— do —	<i>Essential:</i> I. T. I. Certificate in the relevant trade. <i>Desirable:</i> At least one year expe- rience in the Prosthetic and Orthotic Work- shop.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Metal Worker.	One	— do —	Rs. 380-12- 500-EB- -15-560.	N. A.	— do —	<i>Essential:</i> I. T. I. Certificate in the relevant trade. <i>Desirable:</i> At least one year expe- rience in any general workshop.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.

1	2	3	4	5	6	7	8	9	10	11	12	13
Staff Nurse.	Two	Group 'C' Non Ministerial Non Gazetted.	Rs. 425-15- -530-EB- -15-560- -EB-20- -600.	N. A.	30 years and below (Relaxable for Govt. servants).	<i>Essential:</i> 1. A grade certificate in nursing from a re- cognised Institution. 2. Certificate in Mid- -wifery. <i>Desirable:</i> Knowledge of local languages.	N. A.	Two years	Direct recruitment.	N. A.	N. A.	N. A.
B. C. G. Technician.	1	— do —	Rs. 330-10- -380-EB- -12-500- -EB-15- -560.	Selection	— do —	Intermediate or equiva- lent with Science sub- jects.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	<i>Promotion:</i> Lab. Assistants with 5 years service in the grade.	Group 'C' D.P.C.	N. A.
Intradermal Testing Technician (Allergy Unit).	1	— do —	Rs. 380-12- -500-EB- -15-560.	Selection	— do —	<i>Essential:</i> (i) Matriculation or equivalent with Science subjects. (ii) Certificate/Diploma in Laboratory Tech- nician's course from a recognised Institu- tion. OR Qualified Tuberculosis Health Visitor from a recognised Institution. <i>Desirable:</i> One year experience of working in allergy unit as a Intradermal testing technician OR one year experience of working as a Tu- berculosis Health Visi- tor dealing with tuber- culin testing and BCG vaccination.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	<i>Promotion:</i> Lab. Technician with 5 years experience in the line.	Group 'C' D.P.C.	N. A.
Orthopaedic Assistant.	Two	— do —	Rs. 260-6- -290-EB- -6-326-8- -366-EB- -8-390- -10-400.	N. A.	— do —	<i>Essential:</i> S. S. C. E. or equivalent. <i>Desirable:</i> At least one year expe- rience in the line.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Basic Health Worker.	4	— do —	Rs. 260-6- -290-EB- -6-326-8- -366-EB- -8-390- -10-400.	N. A.	— do —	<i>Essential:</i> S. S. C. E. or equivalent. <i>Desirable:</i> 1. Experience in field work. 2. Knowledge of local languages.	N. A.	— do —	Direct recruitment	N. A.	N. A.	N. A.

Radio Iso- tope As- sistant.	One	Group 'C' Non Minis- terial Non Gazetted.	Rs. 425-15- 500-EB- -15-560- -20-700.	N. A.	30 years and below (Relaxable for Govt. servants).	<i>Essential:</i> 1. B.Sc. with Physics as Principal subject. 2. Training course on the safety aspect in the Medical use of ra- diation from a recog- nised Institution.	N. A.	Two years	Direct recruitment.	N. A.	N. A.	N. A.
Assistant Librarian.	6	— do —	Rs. 260-6- 290-EB- -6-326-8- -366-EB- -8-390- -10-400.	N. A.	— do —	<i>Essential:</i> S. S. C. E. or equivalent. <i>Desirable:</i> Experience in the work- ing of Library.	N. A.	— do —	Direct recruitment.	N. A.	N. A.	N. A.
Anaesthetic Assistant.	12	— do —	Rs. 425-15- 500-EB- -15-560- -20-700.	Selection	— do —	<i>Essential:</i> 1. B.Sc. with Zoology or Botany as Principal subject and Chemis- try as subsidiary OR Chemistry as Principal subject with Zoology or Botany as subsidiary subject. <i>Desirable:</i> Technical experience.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	Technician in the De- partment with 3 years experience.	Group 'C' D.P.C.	N. A.
Assistant Analytical Chemist.	9	— do —	Rs. 425-15- 500-EB- -15-560- -20-700.	Selection	— do —	<i>Essential:</i> B.Sc. with chemistry as Principal subject. <i>Desirable:</i> Laboratory experience.	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment.	Technicians in the De- partment with 3 years experience.	Group 'C' D.P.C.	N. A.

Home Department (General)

Notification

T/8-1/79-HD(G)

In exercise of the powers conferred by sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and all other powers enabling him in this behalf, the Lieutenant Governor of Goa, Daman and Diu hereby proposes to issue the following draft notification set out below.

2. All the members of the public, who may be interested to offer any suggestions or objections on the said draft notification are requested to forward the same to the Chief Secretary to the Government of Goa, Daman and Diu, Secretariat, Panaji within a period of thirty days from the date of publication of this notification in the Official Gazette. The draft will be taken into consideration by the Government of Goa, Daman and Diu after the expiry of thirty days together with any objection or suggestion which may be received.

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and all other powers enabling him in this behalf regarding fixing of fares for stage carriages plying in the Union Territory of Goa, Daman and Diu, the Lieutenant Governor of Goa, Daman and Diu hereby directs the State Transport Authority, Panaji that the fares chargeable by the operators of stage carriages plying in this Union Territory of Goa, Daman and Diu shall be as mentioned below: —

Fares for Buses:

- a) For the first 10 Kms. per passenger Rs. 0.06 per Km.
- b) For the subsequent 10 Kms. per passenger Rs. 0.05 per Km.
- c) For the distance over 20 Kms. per passenger Rs. 0.04 per Km.
- d) Minimum fare Rs. 0.25.

Provided that the fares chargeable in respect of a bonafide student shall be fifty per cent of the fares prescribed.

Provided further that the minimum fares chargeable to a bonafide student shall be Rs. 0.15.

Explanation: — “Bonafide Student” means a person who is pursuing a course of studies as a full time student in any educational institution in this territory and possesses at the time of journey a valid identity card issued and signed by the Head of such institution, but does not include a person who is pursuing higher education while gainfully employed.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 29th January, 1979.

Forest and Agriculture Department

Notification

1/34/73-FSH/Vol. I

The following draft of the Rules which are proposed to be made under Section 6 of the Indian Fisheries Act, 1897 (Central Act 4 of 1897), are hereby pre-published as required by sub-section (6) of Section 6 of the said Act for information of the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft may be forwarded to the Secretary to the Government of Goa, Daman and Diu, Forest and Agriculture Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT

In exercise of the powers conferred by Section 6 of the Indian Fisheries Act, 1897 (Central Act 4 of 1897), and all other powers enabling him in this behalf the Administrator of Goa, Daman and Diu hereby makes the following rules, namely: —

Preliminary

1. *Short title, extent and commencement.* — (1) These rules may be called the Goa, Daman and Diu Fisheries Rules 1978.

(2) They shall apply to the whole of Union Territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. *Definition.* — In these rules unless the context otherwise requires, —

- I) “Director” means the Director of Fisheries to the Government of Goa, Daman and Diu;
- II) “Captain of Ports” means the Captain of Ports to the Government of Goa, Daman and Diu;
- III) “Fishing stake” or “stake” means a trap or other contrivance for catching fish fixed in the soil or made stationary in any other way;
- IV) “Mechanised fishing” means fishing by a boat fitted with an inboard engine;
- V) “Form” means a Form appended to these rules;
- VI) “Government” means the Government of Goa, Daman and Diu;
- VII) “Inland water” means a creek, river, canal, stream, or any other water course where fishing is possible and includes stationary water collected in a paddy field or Khazan land in which fishing is possible and also includes the sea along the coast of the Union territory of Goa, Daman and Diu upto the depth of 5 fathoms measured from the coast or beyond a distance of five kilometres from the coast whichever is more.

PART I

3. *Prohibition of fishing in inland waters.* — (1) Fishing in inland waters with any net, operated from mechanised boats is prohibited.

(2) Fishing in inland waters by non-mechanised fishing boats is permitted in accordance with the condition of licence granted by the Director.

(3) Person intending to fish by non-mechanised fishing boat shall apply in Form "A" for the grant of licence under sub-rule (2) referred to above. Any person found fishing in inland water with any net operated from a mechanised boat, the same shall be confiscated along with mechanised boat by the Director or any officer authorised by him in this behalf without prejudice to the powers of the Director to take action under rule 16.

4. *Grant of licence.* — (1) The Director shall, on receipt of an application under sub-rule (2) of rule 3 examine the application in consultation with the Captain of Ports, if necessary, and reject the same if he is of the opinion that it is not in accordance with the condition:

Provided that before passing an order rejecting the application, the Director shall hear the party, if necessary, to whom the order passed will be prejudicial.

(2) If the Director is of the opinion that a licence as requested may be granted, he shall call upon the party to pay the licence fee as well as the registration fee specified in the Appendix A and B appended to these rules within 15 days of such notice.

(3) If the party makes the payments referred to in this rule, a licence in Form "B" shall be issued to him within a period of 15 days which shall be subject thereof to such conditions as may be specified by the Director.

(4) If the party fails to make the payment of fees referred to sub-rule (2) above within 15 days, it shall be deemed that the party is no longer interested in obtaining a licence and the matter will be treated as closed.

(5) All licences issued under this rule shall be valid upto 31st day of December of the year in which it is issued.

(6) The licence may be renewed for such further periods as the Director may deem fit, if necessary fees are paid on or before the 31st of December:

Provided that the fees chargeable for renewing a licence shall be the same as that fixed for the grant of a fresh licence.

(7) Failure to renew the licence within the prescribed time limit under sub-rule (6) shall be punishable under rule 16 and the licence shall be renewed on payment of a fine at the rate of 5% for the first month, 25% for the second month, 50% for the third month, 75% for the fourth month and 100% from the fifth month onwards, of the licence fee, in addition to the licence fee prescribed in the Appendix A. If the licensee fails to renew the licence on or before 31st December of the next year, the licence will be cancelled and the amount of arrears shall be recovered as arrears of land-revenue.

PART II

Stakes

5. *Erection of stakes.* — (1) No person shall erect a fishing stake without obtaining a licence under rule 7.

(2) No person shall shift or alter the location to any stake without prior permission of the Director.

(3) Any person contravening any of the provisions of sub-rule (2) of rule 5, the Director of Fisheries or any other officer designated by him in this behalf shall be empowered to forfeit to Government the stake poles, fishing nets or any other fishing gear found to have been used for the aforesaid act and the person doing such act shall be liable for payment of fine under rule 16.

(4) The fishing stakes which are in operation on the date of coming into force of these rules shall be deemed to have been erected in accordance with the provisions of these rules.

6. *Conditions for grant of permission.* — All licences granted for erecting fishing stakes shall be subject to the following conditions namely: —

- (i) No obstruction is caused in a locality usually utilised for the exploration of fish with small drag nets or in the banks of shell fish or within 100 metres from the bank and also to the other normal fishing activities, if any;
- (ii) The location is not within a distance of 500 metres from any existing set of stakes;
- (iii) No obstruction is caused to navigation in the water and the location of the fishing stakes is not within the normal navigational channel of the water;

Explanation: — Where the navigational channel in the water is not clearly demarcated, the part of such water which is deeper or otherwise convenient for navigation shall be deemed to be the navigational channel.

- (iv) The location of fishing stakes is not within the waters reserved or traditionally used for anchorage of crafts and boats;
- (v) No formation of sand or silt deposit on the bed of the inland water is caused;
- (vi) Signals/lights should be displaced at the ends of the fishing stakes as per instruction issued by Captain of Ports from time to time; and
- (vii) The licence complies with such technical requirements as the Director or Captain of Ports may, from time to time determine.

7. *Procedure for obtaining licence to erect fishing stakes.* — (1) A person intending to obtain licence for erecting fishing stakes in any inland water shall make an application to the Director in Form "C" and shall deposit with him an amount of Rupees three hundred to meet the expenses of advertisement of the notices to be issued under sub-rule (2).

(2) On receipt of such application and deposit, the Director shall satisfy himself, after consulting the Captain of Ports, that the location of the fishing stakes proposed to be erected by the applicant pri-

mafacie confirms to the conditions specified in rule 6.

(3) Thereafter, the Director shall publish a notice in Form "D" in at least three local newspapers inviting objections, if any, from the member of public to the proposed grant of licence for erecting fishing stakes, within 15 days from the date of the publication of the notification in the newspapers.

(4) After considering the objections, if any, received within the period specified and after holding such further inquiry as he deems necessary, the Director shall decide whether the licence for erecting fishing stakes should be granted or rejected.

(5) Where the Director decided to grant licence, the same shall be granted in Form "E" to the person who had applied for such licence, on payment of a fee of Rs. 5/-.

(6) On receipt of the licence under sub-rule (5), the licensee shall erect the stake in accordance with the conditions subject to which such licence has been granted, within a period of one month or such further period as may be specified by the Director.

(7) If the stakes are not erected within the period specified in sub-rule (6), the licence shall be deemed to have lapsed and the Director shall be free to grant the licence to any other person to erect the stakes, in accordance with these rules.

(8) The Director shall refund to the applicant the balance, if any, from the amount of deposit paid under sub-rule (1) after meeting therefrom the expenses incurred by him for publication of the notice under sub-rule (3).

(9) When the stakes are erected, they shall become the property of the Government and no person shall remove, disturb or in any way damage the same.

8. *Grant of lease or right of fishing by means of stakes.*— (1) The lease or the right of fishing by means of stakes erected under the licence granted or deemed to have been granted under rule 5, shall be given for a period not exceeding three years by holding public auction.

Provided that where a cooperative society whose members are all persons who personally carry out the various operations of fishing at the stakes, applies for lease of such fishing rights, the same may be granted without holding a public auction.

(2) For the purpose of holding public auction under sub-rule (1), the Director shall issue a public notice in the Official Gazette as well as in the local newspapers giving the following particulars:—

- a) Location and sites of fishing stakes;
- b) the upset annual rent;
- c) the period for which the fishing right is being auctioned;
- d) the fact whether the auction is being held for the first time after the erection of fishing stakes; and if so, the expenses on advertisement paid under sub-rule (8) of rule 7 by the person who erected the fishing stakes; and
- e) the place, the time and the date of holding the auction.

(3) Whether the auction of fishing right is held for the first time after the erection of fishing stakes, the person who erected the fishing stakes, should be issued an individual notice inviting his attention to the public notice, a copy of which should be appended to the notice and he should be called upon to remain present at the auction either personally or through an authorised agent.

(4) On the date and time fixed for the auction, the Director or any officer designated by him in this behalf shall hold the public auction and shall record in writing the proceeding of such auction.

(5) Where the auction for lease or the right of fishing by means of stake is held for the first time after the erection of the fishing stakes, and where the person who erected the fishing stake is present at the time of auction and is not the highest bidder, the Officer holding the auction shall first call upon such person, to state whether he is willing to take the lease or right of fishing at the highest bid and if so, to call upon him to deposit immediately one-third of the amount of highest bid with the Officer conducting the auction. If such person is not willing to take the lease or licence or fails to make a deposit as aforesaid, the highest bidder shall be called upon to make a deposit as aforesaid and also of the amount specified in clause (d) sub-rule (2).

(6) If the highest bid offered is more than the upset annual rent, the auction proceeding shall be confirmed by the Director and thereupon the lease of the right of fishing by means of stakes shall be granted to the highest bidder or as the case may be, to the person who erected the fishing stakes, for the period for which the auction has been held and the amount, specified in clause (d) of sub-rule (2) if required to be deposited by the highest bidder under sub-rule (5), shall be paid to the person who erected the fishing stakes.

(7) Where a Cooperative society referred to in the proviso to sub-rule (1) applies for the grant of lease of fishing stakes, the Director shall, after making such inquiries as he may deem necessary, grant the lease for a period not exceeding three years to such society on a rent which shall be the average of the rent obtained for the stake during a period of six years immediately preceding.

If the average of six years is not available, the Director may fix such rent as he may deem just and reasonable:

Provided that before such lease is granted, the society shall be required to deposit with the Director an amount equivalent to one-third of the rent:

Provided further that where the lease of the fishing right at the stakes is being given for the first time after the erection of stakes and where the person erecting the stake is other than such society, the society shall be required to pay to the person who erected the stakes the expenses of advertisement paid by him under sub-rule (8) of rule 7.

(8) Where any stake locality is not auctioned for lack of bidders the same will be advertised again after reducing the upset annual rent by one fifth and similar reduction again, if necessary:

Provided that the stake shall not be auctioned for a prize below a minimum determined by Director.

(9) The stake locality which remains unauctioned in pursuance of sub-rule (8) referred to above, shall be cancelled by the Director.

(10) The stake locality cancelled under sub-rule (8) referred to above, may be leased by the Director with or without auction if a request is made for leasing the same by any person:

Provided that the upset annual rentals fixed for such stake locality as the case may be will be the minimum determined for the stake locality at the last auction or at annual rentals fixed by the Director:

Provided further that the period of lease of such fishing rights shall not exceed more than three years.

(11) In the first auction the starting bid of the annual rent will not be less than the actual enrolment (one rupee per interspace). In the second and third auctions, the minimum bid will be the amount by which the concession were auctioned in the first and second auction respectively, and after that average of the last three auctions.

(12) When the Government considers that the outward prices are not in the interest of the Government the adjudication will not be made, but new auction shall be announced. In the second auction the minimum bid to be fixed shall be the highest bid offered in the previous auction

(13) The Government may, at the request of the lessee extend the period of lease of stakes if such request is made before 15th June of the year in which the lease expires provided that such extension shall not exceed three years. Provided further such extension shall not be granted unless the lessee pays 15% more than the earlier agreed rent.

(14) The lessee against whom the previous dues are outstanding will be allowed to participate in the auction only after clearing all the dues. The decision of the Director in this behalf shall be final.

(15) Every bidder shall deposit a sum of Rs. 100/- prior to start of auction. The amount thus deposited will be refunded to those other than the successful bidder.

(16) The successful bidder should deposit two thirds of the amount of their bid as security deposit at the time of executing the deed of lease for the fishing stakes bid by him. The amount thus deposited shall be refunded after the expiry of the period of lease.

(17) A registered co-operative society whose members are all persons who personally carry out the various operations of fishing at the stakes, shall be exempted from the payment of security deposit stipulated under sub-rule (16) referred to above.

9. *Manner of payment of annual rent.* — (1) The annual rent payable by a person or co-operative society to whom the lease of fishing by means of stakes has been awarded under rule 8, shall be paid as follows: —

a) The amount deposited under sub-rule (5) of rule 8 shall be the first instalment of the annual rent payable for the first year of the lease of fishing by means of stakes.

b) The subsequent instalments shall be paid on or before such as may be fixed by the Director.

(2) If any instalment is not paid within the prescribed period, the defaulter shall be liable to pay interest at the rate of 6% per annum on the amount of the instalments due from him for the period of delay.

(3) Where a person is in arrears of two instalments the lease of fishing given to him shall stand cancelled and the Director shall again auction the fishing rights allotted to such defaulter without prejudice to any auction that may be taken against the defaulting lessee.

10. *Forfeiture of stakes, nets, etc.* — If any stakes are erected in contravention of the provisions of these rules, or if fishing is done by means of stakes in contravention of the lease, or fishing rights or after the expiry of the period of the lease, or fishing rights or after the cancellation of such lease or rights, the Director or any officer designated by him in this behalf, shall be empowered to forfeit to Government the fishing stakes, fishing nets, or any other fishing gear found to have been used for the aforesaid acts and the person doing such acts shall be liable for the payment of fine as provided in rule 16.

PART III

Fishing in accumulated water

11. *Fishing in paddy fields and Khazan lands.* — (1) No person shall, without obtaining a licence under rule 4 fish in any water accumulated in paddy fields and Khazan lands whether such water has entered such lands due to tidal force or has been intentionally introduced into such lands by cutting the bunds or otherwise.

(2) If any person is found to have introduced water into paddy fields or Khazan lands voluntarily by causing breaches in the bunds or otherwise for the purpose of fishing, he shall be deemed to have contravened the provisions of these rules and shall be liable for punishment under rule 16.

PART IV

Nets

12. *Use of nets of certain sizes prohibited.* — (1) No person shall use a net the mesh size of which is below 24 mm for catching fish and 20 mm for catching prawns.

Provided that nothing in this rule shall affect the use of Purse-seine fishing gear having a stretched mesh size upto 15 mm. Provided further that a person in possession of net referred to in the above proviso shall not replace the torn portion of such net by any net having stretched mesh size below 20 mm.

(2) If any person is found fishing with a net with the mesh size less than that permitted under sub-rule (1), such nets shall be confiscated by the Director or the person authorised by him and the licence, if any, granted to such person shall be cancelled forthwith without prejudice to the powers of the Director, to take action under rule 16.

13. *Registration of nets.* — (1) Every person in possession of a fishing net shall forthwith register his net with the Director and shall obtain a licence for the same. However, the fishing nets operated by the Government are exempted from the registration.

(2) The registration and licence fees as specified in Appendix B and A appended to these Rules shall be payable for such registration and for obtaining licence.

(3) In the event of loss or destruction of a net already registered the owner thereof shall forthwith intimate to the Director, such loss or destruction.

(4) No person shall transfer or sell the net or otherwise without obtaining necessary prior permission of the Director.

(5) A person found to be in possession of an unregistered net, the same shall be confiscated by the Director or any other officer authorised by him in this behalf, without prejudice to the powers of the Director to take action under rule 16.

(6) A net already registered under the provision of any law for the time being in force shall be deemed to have been duly registered under these rules.

(7) The Director or any other person authorised by him in this behalf may at any time enter any premises or building or any vessel to ascertain that no unregistered nets are stored there.

(8) Failure to renew the licence/registration within the prescribed time limit under sub-rule (1) shall be punishable under rule 16 and the licence shall be renewed on payment of fine at the rate of 5% for the first month, 25% for the second month, 50% for the third month, 75% for the fourth month and 100% from the fifth month onwards, of the licence fee prescribed in the Appendix A, in addition to normal registration fees prescribed in Appendix B.

If the holder of a registered net fails to renew the licence of his net on or before 31st December of the next year, the registration and licence will be cancelled and the amount of arrears shall be recovered as arrears of land revenue.

(9) All the fishing nets shall be marked by a lead shot or lead plate or any other suitable plate having letters M—for the fishing nets registered in Mormugao, S—in Salcete, C—in Canacona, P—in Ponda, B—in Bardez, I—in Ilhas, P—in Pernem, D—in Daman and D—in Diu followed by registered number of the net and its length in metres.

14. *Schedule of operation of fishing nets.*—(1) The Director may give schedule of operation of fishing nets such as rampon, drag net etc. to the licensees for operating their nets.

(2) If the licensee fails to observe the schedule of operation given to him, the Director may cancel the licence given to him.

(3) The authority competent to decide whether the schedule of operation is followed or not, shall be the Director or any other officer authorised by the Government in this behalf by special or general order.

15. *Recoveries of arrears.*—The arrears of instalments of lease rent as well as the amount of fine leviable under rule 16 or any sum due to the Government on this account prior to enforcement of these Rules, if not paid on the date fixed by the Director, shall be recovered as arrears of land revenue.

16. *Penalty.*—Whoever commits breach of any of the provisions of these rules shall be punishable with fine, which may extend to one hundred rupees and in the case of continuing breach with a further fine which may extend to ten rupees for every day after the date of first conviction during which the breach is proved to have been persisted.

17. *Repeal and saving.*—The Goa, Daman and Diu Fisheries Rules, 1974 and all other rules corresponding thereto in force in any part of the Union territory of Goa, Daman and Diu immediately before the commencement of the Goa, Daman and Diu Fisheries Rules, 1978 are hereby repealed.

Provided that anything done or any action taken under any of the rules, so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules and be continued and disposed of in accordance with the provisions of rules.

APPENDIX—A

Schedule for fishing licence

1. To fish with a drag/rawl net by a motor driven vessel:
 - a) Drag/Trawl net upto a length of 15 metres Rs. 40-00
 - b) Drag/Trawl net more than 15 metres in length Rs. 60-00
2. To fish with a drag net:
 - a) Upto 200 metres Rs. 10-00
 - b) For every 100 metres in excess upto 500 metres Rs. 6-00
 - c) For every 100 metres exceeding 500 upto 1000 metres Rs. 8-00
 - d) For every 100 metres exceeding 100 metres Rs. 15-00
3. To fish on the river banks with barrier net (Funtanum):
 - a) Net upto 200 metres Rs. 8-00
 - b) For every exceeding 100 metres upto 500 metres Rs. 10-00
 - c) For every 100 metres exceeding 500 metres Rs. 5-00
4. To fish with gill nets (Suspension nets) in sea:
 - a) Upto 200 metres Rs. 10-00
 - b) For every 100 metres or more or fraction thereof Rs. 4-00
5. To fish with gill nets (Suspension nets) in rivers:
 - a) Upto 100 metres Rs. 4-00
 - b) For every 100 metres or fraction thereof Re. 1-00
6. To fish with a sluice gate net Rs. 10-00
7. To fish with a cast net Rs. 2-00
8. To fish with nets not specified Rs. 2-00
9. To fish with traps for catching fish prawns, lobsters, crab or any other molluscs Rs. 2-00
10. To fish with a net of hooks Rs. 0-10 per every hook.
11. To fish with a purse-seine net by a motor driven vessel:
 - a) Purse-seine net upto a length of 200 metres Rs. 60-00

- b) For every 100 metres in excess or fraction thereof Rs. 25-00
12. To fish with doll nets:
- a) Doll net upto a length of 20 metres ... Rs. 10-00
- b) For every 5 metres in excess or fraction thereof Re. 1-00

APPENDIX — B

Schedule for net Registration

1. To fish with a drag/Trawl net by a motor driven vessel:
- a) Drag/Trawl net upto a length of 15 metres Rs. 10-00
- b) Drag/Trawl net more than 15 metres in length Rs. 15-00
2. To fish with a drag net:
- a) Upto 200 metres Rs. 2-00
- b) For every 100 metres in excess upto 500 metres Re. 1-00
- c) For every 100 metres in excess upto 500 metres Rs. 0-50
3. To fish on the river banks with barrier nets (Funtanum):
- a) Net upto 200 metres Rs. 2-00
- b) For every 100 metres in excess upto 500 metres Re. 1-00
- c) For every 100 metres exceeding 500 metres Rs. 0-50
4. To fish with gill nets (suspension nets) in sea or river:
- a) Upto 200 metres Re. 1-00
- b) For every exceeding 100 metres or fraction thereof Rs. 0-50
5. To fish with a stake net:
- a) Registration fee for a stake irrespective of number of interspaces Rs. 5-00
- b) For every interspace Rs. 0-25
6. To fish with a sluicgate net Re. 1-00
7. To fish with a cast net Rs. 0-50
8. To fish with a net not specified Rs. 0-50
9. To fish with traps for catching fish, prawns, lobster, crabs or any other molluscs Rs. 0-50
10. To fish with a set of hooks Rs. 0-25
11. To fish with a purse-seine net by a motor driven vessel:
- a) Purse-seine net upto a length of 200 metres Rs. 10-00
- b) For every 100 metres in excess or fraction thereof Rs. 5-00
12. To fish with doll nets:
- a) Doll net upto a length of 20 metres ... Re. 1-00
- b) For every 5 metres in excess or fraction thereof Rs. 0-50
13. Title deed of the property of nets upto 500 metres Re. 1-00

FORM A

(See sub-rule (1) of rule 3)

Application for grant of licence to fish in inland waters

From: ...

To,

The Director of Fisheries,
Panaji-Goa.

Sir,

Please grant me a fishing licence to operate a ... net to fish in Inland waters in ... locality, under the provisions of the Goa, Daman and Diu Fisheries Rules, 1978.

Yours faithfully,

FORM B

Government of Goa, Daman and Diu

Directorate of Fisheries

(See sub-rule (3) of rule 4)

Fishing licence

No. of licence ...

Date of licence ...

Shri ... is hereby permitted to operate .../net ... of the size .../in ... (locality)/to fish in the Inland waters by means of ... The licence is valid upto ...

The seal of the Office

Director of Fisheries

N. B. — The fishing in the Union Territory of Goa, Daman and Diu shall be regulated as under: —

- (a) The rampon operators including the non-mechanised traditional fishing crafts shall operate freely without any restrictions. However waters upto five fathom from the shore shall be reserved exclusively for those operating the rampon nets and non-mechanised traditional fishing craft and no other type of vessels shall be allowed to fish within five fathom line from the coast and in inland waters.
- (b) Mechanised fishing vessels shall operate beyond five fathom line from the coast, and
- (c) Off-shore and deep sea fishing vessels, that is vessels of 25 gross tonnes and above which require to be manned by skipper, shall be allowed to operate beyond ten fathom line from the coast.

FORM C

(See sub-rule (1) of rule 7)

To,

The Director of Fisheries,
Government of Goa, Daman and Diu,
Panaji-Goa.

I ... (full name) resident of ... of ... (Taluka) hereby apply for permission to erect ... (number) of stakes at ... (approximate location). To the best of my knowledge the erection of the fishing stakes applied for above conforms to the conditions mentioned in rule 6 of the Goa, Daman and Diu, Fisheries Rules, 1978.

I am also depositing on this date an amount of Rupees three hundred as required under Rule (1) of rule 7 of the said Rules, 1978.

Yours faithfully,

(Signature of the applicant)

My address is as under:

... (Full name)

... (Village) ... (Taluka)

Post ... (Nearest Post Office) ... (District).

FORM D

(See sub-rule (3) of rule 7)

Notice

Notice is hereby given that Shri ... resident of ... has applied for grant of permission to erect ... (number) fishing stakes at ... (exact location). Any person directly interested in the above may within 15 days from the date of publication of this notice send his objection, if any, either in respect of the fishing stakes or of the grant of permission to the applicant to the Director of Fisheries, Panaji.

Panaji:

Dated:

(Signature)

Director of Fisheries

FORM E

(See sub-rule (5) of rule 7)

Permission for erection of fishing stakes

Permission is hereby granted to Shri ... resident of ... for erecting ... (number) fishing stakes at ... (exact location). Shri ... has paid Rs. 5/- (Rupees five only) as fee for the grant of this permission as required under sub-rule (5) of rule 7 of the Goa, Daman and Diu Fisheries Rules, 1978.

Panaji:

Dated:

(Signature)

Director of Fisheries

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Forest & Agriculture).

Panaji, 22nd January, 1979.

Local Administration and Welfare Department

Notification

3-2-78-LAWD-MUN(DIU)

The Diu Municipal Council Octroi Bye-laws, 1977 are published herewith for general information of the public.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 17th January, 1979.

Notification

In exercise of the powers conferred by sub-section (1) of section 307, read with sections 104, 105, 131, 132 and 133 of the Goa, Daman and Diu Municipalities Act, 1968 (7 of 1969), and all other powers enabling it in this behalf, the Diu Municipal Council after previous sanction of the Government of Goa, Daman and Diu hereby makes the following Bye-laws and publish the same for information of the public:—

1. *Short title.*—(1) These Bye-laws may be called the Diu Municipal Council Octroi Bye-laws, 1978.

(2) *Application.*—The provision of these Bye-laws shall apply to Municipal areas in Diu and shall take effect from the date of their publication in the Official Gazette.

2. *Definition.*—In these Bye-laws, unless the context otherwise requires:—

(i) "Act" means the Goa, Daman and Diu, Municipalities Act, 1968 (7 of 1969);

(ii) "Chief Officer" means the person appointed or deemed to be appointed under the Act to be the Chief Officer of Diu Municipal Council;

(iii) "Council" means the Diu Municipal Council constituted or deemed to have been constituted under the Act;

(iv) "Contractor" means the person to whom the contract of collection of Octroi has been awarded by the Diu Municipal Council;

(v) "Director" means the person appointed by the Government to be the Director of Municipal Administration under the Act;

(vi) "Export" means the carrying or discharge of anything out of the Octroi limits of the Municipal area to any other area outside such limits;

(vii) "Exporter" means the person who exports the articles, within seven days next after their import into the Municipal area (as notified in the import register at the time of import) and shall also include the person who owns the articles at the time of export or whose name is shown in the export register as exporter;

(viii) "Government" means the Government of Goa, Daman and Diu;

(ix) "Import" means the carrying or receipt of anything into the Octroi limits of the Municipal area from outside the limits of the Municipal area;

(x) "Importer" means the person who imports articles into Octroi limits of the Municipal area and shall also include the person who owns the articles at the time of import or whose name is shown in the import register as importer;

(xi) "Municipal Accounts Code" means the Goa, Daman and Diu Municipal Accounts Code, 1972;

(xii) "Municipal area" means the local area declared or deemed to be declared as Municipal area of the Council under the Act;

(xiii) "Octroi" means a tax on the entry of goods into a Municipal area for consumption, use or sale therein;

(xiv) "Octroi Naka" means the Octroi Stations fixed by the Council as such and specified in Schedule I at which the goods are imported or exported, as the case may be;

(xv) "Official Year or Financial Year" means the year commencing on the first day of April and ending with 31st day of March of the succeeding year;

(xvi) "Schedule" means the Schedule appended to these Bye-laws;

(xvii) "Section" means a section of the Act;

(xviii) "Standing Committee" means the Committee constituted under section 64 of the Act.

3. Subject to the exemption specified under these Bye-laws, Octroi shall be levied on goods of all descriptions at the rates specified in Schedule II at the Octroi Nakas.

4. The goods specified in Schedule III shall be exempted from the levy of Octroi.

5. Goods in transit cannot be kept in the Municipal area longer than 7 days next after their import (and the importer shall notify the transit goods at the time of import and export) failing which they shall be subject to the payment of Octroi as if the goods are brought for consumption or use or sale within the Municipal area.

6. (1) The amount of Octroi shall be recovered as deposit in lieu of the Octroi in the following cases:—

(a) When the goods are in transit;

(b) When the goods are imported in closed parcels or boxes which cannot be opened without difficulties, damage or inconvenience to importer like liquor, glass-ware, etc;

(c) When the goods are imported in a huge quantity;

(d) When an importer receives the goods through Railway, Road Transport, Sea Route, Customs or Excise covered by legal documents.

(2) The assessment of tax shall be made by the Contractor or any other person authorised by him in this behalf, at the appropriate places as per convenience of the Contractor and the importer on production of invoices/bills and receipts/permits or in the absence of the invoice/bill, with written declaration of the details of the consignment issued by the competent authorities, like Excise Station, Custom Office, Railways or Road Transport Authorities, Bank etc. as the case may be and after examination of the contents of the consignment.

(3) The adjustment and refund, if any, of deposits shall be made by the Contractor.

7. Any importer whose name is entered in the assessment register maintained by the Contractor as the person liable for the payment of Octroi or any agent or representative of such importer may be permitted to inspect the register and take extracts therefrom free of charge.

8. (i) Any importer who has been shown in the assessment register as liable to pay Octroi in respect of goods referred to in Bye-laws No. 5 may at any time object to the assessment if he has reasonable ground to do so, and such objections shall be lodged in writing and addressed to the Chief Officer at the Municipal Office.

(ii) The Chief Officer after considering all such objections, may cause any amendment to be made in the assessment register if the objections are found to be justified, if not, he shall forward to the Standing Committee the assessment register alongwith the objections received for consideration.

(iii) The Standing Committee after considering the report submitted by the Chief Officer and after allowing the objector an opportunity of being heard in person or through an authorised agent shall dispose of the objections, and in the event of the objections being found valid, direct the Chief Officer to make the necessary amendments in the assessment register.

9. The assessment demand and collection receipts and registers in respect of Octroi shall be maintained in the Forms prescribed in the Municipal Accounts Code.

SCHEDULE — I

Octroi Nakas at Municipal Boundaries

1. Diu-Ghoghla — Ferry-Crossing.
2. Fudam — end of Municipal limits.

SCHEDULE — II

The Octroi shall be levied on goods of all description at the rate of 2% (two percent) of the purchase price of the goods, at the Octroi Nakas specified in Schedule I, except Octroi on Petrol and Diesel brought into the Diu area at the rate of 1.5% (one and half percent) of the sale price of Petrol and Diesel. (This is as per Government Notification No. 8-25-76-UDD(GEN), dated 22-9-1976).

SCHEDULE — III

(a) Goods/Articles imported by the Department of Central Government or Government of Goa, Daman and Diu or any Village Panchayat or Municipal Council for departmental use/consumption.

(b) Essential articles by Head of family for own use:

- (1) Food — Grains — 100 kgs.
- (2) Pulses — 20 kgs.
- (3) Groundnut-Oil — 1 Tin (16.5 kgs.).
- (4) Vanaspati — 1 Tin (16.5 kgs.).
- (5) Kerosene — 1 Tin (16.5 kgs.).
- (6) Ghee 5 kgs.
- (7) Sugar-gur — 20 kgs. Gur — 1 Tin.
- (8) Cloth upto Rs. 500/- with bill.
- (9) Milk and Mavo for use and sale.
- (10) Salt, Datan, Flowers for use and sale.
- (11) Green Hortalicies for use and sale.
- (12) Dry and Green grass and other cattle food.
- (13) Fertilisers for own use.
- (14) Books, Forms, News papers, Maps for use and sale.
- (15) Ratia, Equipment for Agriculture including water pump.
- (16) Handloom or Khadi Cloth for use and sale.
- (17) Cows, Buffaloes, Goats, Sheep, Horses for use and sale.
- (18) Sports and Games Equipments.
- (19) Dry fish, Empty Gunny bags for filling salt.
- (20) House hold kits of Foreigners coming from Foreign Country and settling in Diu only.
- (21) If any Industry or Trade registered as Small Scale Industry, the Equipments and Machinery for establishment of Industry or Trade, is not liable for Octroi.

The raw material of such Small Scale Industry or Trade is not liable for Octroi from the date of production upto 2 years.

After 2 years raw material is liable for Octroi.

- (22) Fisherman, if he is dealing with fishing personally, the equipment for repairs of Boats, repairs of Engine of Boats, Nylon thread, Net and Engine parts for his own use in his Boat.

The new Boat as well as new Engine is liable for Octroi.

- (23) Equipment or parts for repairs of Country Crafts and its Engine.

New Crafts as well as Engine is liable for Octroi.

Explanation:— The above exemption is available when the goods are imported for own consumption/use and if it is proved that the articles have been sold, the same shall be liable for levy of Octroi and the importer shall be liable for penalty as determined under the Act.

Notification

3-2-78-LAWD/MUN(Vasco)

The Mormugao Municipal Council (Octroi) Bye-laws, 1978 are published herewith for general information of public.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 22nd January, 1979.

Notification

In exercise of the powers conferred by sub-section (1) of section 307 read with sections 104 and 105 of the Goa, Daman and Diu Municipalities Act, 1968 (7 of 1969), and all other powers enabling it in this behalf, the Mormugao Municipal Council, after previous sanction of the Government, hereby make the following Bye-laws namely:—

Bye-Law 1

Short title and application.—(1) These Bye-laws may be called the Mormugao Municipal Council (Octroi) Bye-laws, 1978.

(2) The provisions of these Bye-laws shall apply within Mormugao Municipal Council area and shall take effect from the date of its publication in the Official Gazette.

Bye-Law 2

Definition.—In these Bye-laws, unless the context otherwise require, —

(i) "Act" means the Goa, Daman and Diu Municipalities Act, 1968 (7 of 1969);

(ii) "Council" means the Mormugao Municipal Council;

(iii) "Export" means taking out or movement of any goods from any place within the Octroi limits of the Council to any place outside such limits;

(iv) "Exporter" means the person who exports the goods within 7 days next after their import into the Council limits, and shall also include the person who owns the goods at the time of export or whose name is shown in the export register as exporter;

(v) "Form" means a Form appended to these Bye-laws;

(vi) "Goods" means items mentioned in the Schedule I appended hereto;

(vii) "Import" means bringing or entry of any goods into the Octroi limits of the Council from any place outside such limits;

(viii) "Importer" means the person who imports any goods into the Council limits, and includes any person who owns the goods at the time of the import or whose name is shown in the import register as importer;

(ix) "Local Authority" means a Municipal Council or Village Panchayat as the case may be, constituted under any law for the time being in force in the Union Territory of Goa, Daman and Diu;

(x) "Municipal Accounts Code" means the Goa, Daman and Diu Municipal Accounts Code, 1972;

(xi) "Octroi" means a tax on the entry of goods into the Council area for consumption, use or sale therein;

(xii) "Octroi Naka" means an Octroi station specified in Schedule II and includes such other place as may be fixed by the Council from time to time, at which point the goods are imported or exported/checked for import or export as the case may be;

(xiii) "Schedule" means a Schedule appended to these Bye-laws;

(xiv) "Section" means a section of the Act;

(xv) "Standing Committee" means the Standing Committee, constituted under the Act.

Bye-Law 3

Octroi shall be levied at any Octroi Naka on the goods and at the rates as specified in Schedule I.

Bye-Law 4

(i) The amount of Octroi shall be recovered as deposit in lieu of Octroi, in the following cases:—

(a) When the goods are in transit;

(b) When the goods are imported in closed containers, parcels or boxes or packages which cannot be opened easily without damage or inconvenience to the importer;

(c) When the goods are imported in bulk;

(d) When an importer receives the goods through the Railway, Road, Sea or Air transport, covered by legal documents.

(ii) The assessment of Octroi shall be made by the Chief Officer or any other person authorised by him in this behalf, at the office of the Council, on production of original invoices and receipts/permits or in the absence of the invoices on basis of written declaration of the details of the consignment issued by the competent authorities namely, Excise Station, Custom Office, Mormugao Port Trust, Air, Rail and Road transport Offices etc. and/or after examination of the contents of the consignment:

Provided that the importer shall produce the necessary documents for the purpose of assessment within 15 days from the date of import, failing which the Chief Officer or any other person authorised by him in this behalf, shall finalise the assessment to the best of his judgement;

Provided further claims for refunds of deposit from any person shall not be entertained after a period of one month from the date of making the deposit.

(iii) The adjustment and refund, if any, of deposit shall be made according to the provisions of the Act and Rules made thereunder.

Bye-Law 5

Any importer or his authorised representative may be permitted to inspect the register and take extracts therefrom free of charge.

Bye-Law 6

Within seven days of any assessment order passed by a person authorised by the Chief Officer, any person aggrieved by such assessment may make a request for reassessment in writing to the Chief Officer who after giving the objector due opportunity of being heard in person or through an authorised agent, pass an order as he may deem fit.

Bye-Law 7

(i) Notwithstanding anything contained in these Bye-laws, *Suo-moto* the Chief Officer, may review

any assessment order passed by a subordinate officer; the Standing Committee may review any assessment order passed by Chief Officer or any Officer and the Council may review any assessment order passed by Standing Committee, Chief Officer or any other Officer.

(ii) Any order passed under review shall be binding on the importer as if it was passed as a result of the assessment.

(iii) An appeal against the order of the Chief Officer shall be with the Standing Committee within 10 days from the date of receipt of such order; in case that of Standing Committee to the Council within 10 days from the date of receipt of such order. Any order passed by the Council in review or in appeal shall be final and binding on the importer.

Bye-Law 8

The Assessment, Demand and the Collection receipts, registers, etc. in respect of Octroi shall be maintained in the Forms prescribed under the Act, and Rules made thereunder.

SCHEDULE I

(See Bye-Law No. 3)

Goods liable for Octroi

Sr. No.	Goods	Description
(1)	(2)	(3)
1.	Black Oil or Furnace Oil (or whatever Trade name it may carry)	1.5% of the value of the Invoice.
2.	Naphtha (or whatever Trade name it may carry)	1.5% of the value of the Invoice.
3.	Aviation Fuel (or whatever Trade name it may carry)	1.5% of the value of the Invoice.
4.	Petrol or Gasoline used for automobiles (or whatever Trade name it may carry)	1% of the value of the Invoice.

(1)	(2)	(3)
5.	Diesel High Speed (or whatever Trade name it may carry)	0.75% of the value of the Invoice.
6.	Diesel Low Speed (or whatever Trade name it may carry)	1% of the value of the Invoice.
7.	Asphalt or bitumen of all types (or whatever Trade name it may carry)	1.50% of the value of the Invoice.
8.	Other Petroleum products (as defined under the Indian Petroleum Act) and lubricants (or whatever Trade name it may carry) except Kerosene.	1.50% of the value of the Invoice.

Explanation. — For the purpose of this Schedule the words "value of the Invoice" appearing in the column No. 3 thereof shall mean the cost price of the goods as ascertained from that Invoice Bill plus freight charges, carriage charges, shipping dues, insurance, Excise duties, Customs duties, Sales Tax and all other incidental charges incurred and/or liable to be incurred by the importer till the arrival of the goods within the Octroi limits.

SCHEDULE II

(See Bye-Law No. 3)

Octroi Nakas at Municipal Boundaries of Mormugao Municipal Council

1. The wharf/quay-wall/berthing place at Mormugao Harbour.
2. Near the junction at Alto Chicalim.
3. Near the junction of National Highway NH-17 A and the Gurudwara Road.
4. Near the junction of National Highway NH-17 A and the Airport.
5. Near the boundary of the Council area off Sasmolli/Kattam Baina, Vasco-da-Gama.
6. At the gates of all Oil installations/depots at Vasco-da-Gama.
7. The Office of the Council.
8. Any other Octroi Naka as the Council may from time to time determine and inform the members of the public by publication in local newspapers.